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From: Robert Puls/ADA/USEPA/US

To: "Chris Hill" <chris.hill@chk.com>

Delivered Date: 11/01/2011 09:38 PM EDT

Subject: Re: future conf calls

I will get back to you. We need to digest this somewhat disappointing response.

From: Chris Hill [chris.hill@chk.com]
Sent: 11/01/2011 08:23 PM GMT
To: Robert Puls
Cc: Susan Mravik; John Satterfield <john.satterfield@chk.com>
Subject: RE: future conf calls

Bob,

Please find CHK's response to your questions below. It appears you have decline Friday's conference call invite, please let me know if you would like me to reschedule this call.

Thanks,
Chris

Will CHK allow the installation of a temporary monitoring well as discussed at several recent meetings/calls?

As discussed during the recent meeting referenced, the rationale behind the installation of temporary wells was the assumption that there is lack of permeability, and therefore groundwater velocity, in the formation to see ground water move from the gas wellbore to the permanent water monitoring wells within the timeline of the study. Based on our discussions, EPA made that assumption based on anecdotal information and has not clearly identified the location of the proposed temporary water monitoring wells. Therefore, at this time CHK doesn't believe that the installation of temporary monitoring wells is justified given the risk to personnel, the study, and CHK operations we discussed previously. We believe the permanent water monitoring wells just off the pad should provided the EPA with the necessary samples/data required.

Our position on sampling nearby surface waters is that they may at times be connected to the underlying drinking water aquifer, have the possibility to influence aquifer water quality, and are therefore within the scope of the study. Does CHK agree with this or dispute it? If the latter, why?

CHK does not object to surface water sampling that is conducted in accordance

with the appropriate scope of the study.

Is it acceptable to CHK to complete a QAPP that covers all baseline activities up to but not including well construction?

CHK doesn't believe there is any reason why the QAPP should not be completed in its entirety prior to conducting any and all field activity. We don't believe it is prudent to finalize only the baseline portion of the QAPP when in reality all component of the prospective study are integrated, and the process and stakeholder involvement in the QAPP's future revisions has not been clearly communicated.

In addition, to date, there is ambiguity in regards to EPA definition of "baseline." It is our understanding that Congress requested a hydraulic fracturing study, the SAB reinforced this directive and Lisa Jackson confirmed that well construction is out of the scope of the study, however, based on our discussions with the EPA, the Agency continues to plan to conduct a study with an apparent expanded scope which includes activities common to all oil and gas production activity. A true baseline for hydraulic fracturing would be conducted after the well has been installed and just prior to hydraulic fracturing the well.

Does CHK understand that this is a research study as opposed to a compliance investigation?

CHK does understand that the EPA Hydraulic Fracturing Study, including the prospective study, is a highly influential research study that has the potential to result in major Agency policies which could have potentially great or widespread impact on the public, government (federal, state, local, or tribal), and industry sectors. CHK does understand the prospective study is not a compliance investigation.

From: Puls.Robert@epamail.epa.gov [mailto:Puls.Robert@epamail.epa.gov]
Sent: Monday, October 31, 2011 9:54 AM
To: Chris Hill
Cc: Mravik.Susan@epamail.epa.gov
Subject: RE: future conf calls

Chris

Before we have a call I would like some clarification on some outstanding issues:

Will CHK allow the installation of a temporary monitoring well as discussed at several recent meetings/calls?

Our position on sampling nearby surface waters is that they may at times be connected to the underlying drinking water aquifer, have the possibility to influence aquifer water quality, and are therefore within the scope of the study. Does CHK agree with this or dispute it? If the latter, why?

Is it acceptable to CHK to complete a QAPP that covers all baseline activities up to but not including well construction?

Does CHK understand that this is a research study as opposed to a compliance

investigation?

having some clarification on these issues will help guide future agendas for calls/meetings.

Robert W. Puls, Ph.D.
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From: Chris Hill <chris.hill@chk.com>
To: Robert Puls/ADA/USEPA/US@EPA
Cc: Susan Mravik/ADA/USEPA/US@EPA
Date: 10/31/2011 09:14 AM
Subject: RE: future conf calls

Is there a preferred time?

From: Puls.Robert@epamail.epa.gov [mailto:Puls.Robert@epamail.epa.gov]
Sent: Monday, October 31, 2011 9:03 AM
To: Chris Hill
Cc: Mravik.Susan@epamail.epa.gov
Subject: future conf calls

Chris

As we get back on track with respect to weekly calls, please insure that I am available before scheduling the call. As we discussed last Friday, the next best time may be this Friday Nov 4.

Bob

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